SFG 2023 | LEVEL 1 | Test #6 – Solutions | ForumIAS

Q.1) Consider the following statements:
1. The President shall make rules for the more convenient transaction of the business of the Government of India.
2. All executive actions of the Government of India shall be expressed to be taken in the name of the Prime Minister.
Which of the statements given above is/are correct?
a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2

Ans) a
Exp) Option a is the correct answer.
Statement 1 is correct. According to Article 77(3), the President shall make rules for the more convenient transaction of the business of the Government of India and for the allocation among Ministers of the said business.
Statement 2 is *incorrect*. According to Article 77(1), all executive action of the Government of India shall be expressed to be taken in the name of the President (and not the Prime Minister).
Source) UPSC CSE 2014

Q.2) In case of which of the following types of bills, the Governor has to obligatorily reserve them for the consideration of President, after they have been passed by the State Legislature?
1. If the bill endangers the position of the state High Court.
2. If the bill is dealing with compulsory acquisition of property.
3. If the bill is against the provisions of Directive Principles of State Policy.
4. If the bill is against the larger interest of the country
Select the correct answer using the code given below:
a) 1 only
b) 1 and 4 only
c) 2 and 3 only
d) 1, 2, 3 and 4

Ans) a
Exp) Option a is the correct answer.
When a bill is sent to the Governor after it is passed by state legislature, he can give his assent to the bill, or withhold his assent to the bill, or return the bill or reserve the bill for the consideration of the President.
Statement 1 is correct: In one case reserving the bill is obligatory, that is, where the bill passed by the state legislature **endangers the position of the state high court.**
Statement 2, 3 and 4 are incorrect: In addition, the **Governor can also reserve** (discretionary power of the Governor and not obligatory on the Governor) the bill if it is of the following nature:
(1) Ultra-vires, that is, **against the provisions of the Constitution. (Statement 4 is incorrect)**
(2) Opposed to the **Directive Principles of State Policy. (Statement 3 is incorrect)**
(3) **Against the larger interest of the country.**
(4) Of grave national importance.
(5) Dealing with compulsory acquisition of property under Article the Constitution.
However, in the above-mentioned cases, the reservation is not obligatory but on the discretion of the Governor.
Source: Indian Polity by Laxmikant – 6th Edition – Chapter 30 – Governor.

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Q.3) With reference to pardoning powers of President of India, consider the following pairs:

Power	***Explanation***
1. Remission	Awarding a lesser sentence due to physical disability.
2. Respite	Reducing the period of sentence without changing its character.
3. Reprieve	Staying the execution of a sentence for a temporary period.

How many of the pairs above are correctly matched?
a) None of the pairs
b) Only one pair
c) Only two pairs
d) All the three pairs

Ans) b
Exp) Option b is the correct answer.
Pair 1 is *incorrect*. Remission implies **reducing the period of sentence** without changing its character. For example, a sentence of rigorous imprisonment for two years may be remitted to rigorous imprisonment for one year.
Pair 2 is *incorrect*. Respite denotes **awarding a lesser sentence** in place of one originally awarded due to some special fact, such as the **physical disability** of a convict or the pregnancy of a woman offender.
Pair 3 is correct. Reprieve implies a **stay of the execution of a sentence** (especially that of death) for a temporary period. Its purpose is to enable the convict to have time to seek pardon or commutation from the President.
Source: M Laxmikanth Polity. Chapter 17. President

Q.4) What were the reasons that the framers of Indian Constitution opted for Parliamentary System of Government rather than Presidential System of Government?
1. The Parliamentary System inherently establishes a much more stable government in comparison to Presidential System.
2. Unlike Presidential System, the Parliamentary System provides for a strict 'Separation of Powers' between the executive and the legislature.
3. The Parliamentary System provides scope for giving representation to various sections and regions in the government.
Select the correct answer using the codes given below:
a) 2 only
b) 3 only
c) 1 and 3 only
d) 2 and 3 only

Ans) b
Exp) Option b is the correct answer.
The Constitution of India has opted for the British parliamentary System of Government rather than American Presidential System of Government. The parliamentary system is also known as the 'Westminster'

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model of government, responsible government and cabinet government. The Constitution establishes the parliamentary system not only at the Centre but also in the states.

Statement 1 is incorrect: The parliamentary system **does not provide a stable government.** There is no guarantee that a government can survive its tenure. The ministers depend on the mercy of the majority legislators for their continuity and survival in office.

On the contrary, the Presidential System provides for a more stable government than the Parliamentary System. In the Presidential System, the President is the head of the government. The President is elected by an electoral college for a **fixed tenure of four years**. **He cannot be removed by the Congress except by impeachment** for a grave unconstitutional act.

Statement 2 is incorrect: In the parliamentary system, the legislature and the executive are together and inseparable. The cabinet acts as the leader of legislature as well as the executive. Hence, the whole system of government **goes against the letter and spirit of the theory of separation of powers.** In fact, there is a fusion of powers.

Statement 3 is correct: India is one of the most heterogeneous States and most complex plural societies in the world. Hence, the Constitution-makers adopted the parliamentary system as it offers **greater scope for giving representation to various section, interests and regions in the government.** This promotes a national spirit among the people and builds a united India.

Source: Laxmikanth

https://blog.ipleaders.in/presidential-system-vs-parliamentary-system/

Q.5) With reference to various types of Solar Cells, consider the following statements:

1. Silicon-based inorganic solar cells cannot be commercialized as they become unstable in the presence of humidity.
2. Perovskite solar cells are an affordable and eco-friendly alternative to silicon-based inorganic solar cells.

Which of the statements given above is/are correct?

a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2

Ans) b

Exp) Option b is the correct answer.

Researchers from the Indian Institute of Technology (IIT), Guwahati, have developed Hybrid Perovskite-based Devices that can generate electricity through solar energy at a power conversion efficiency of more than 21%.

Statement 1 is incorrect. Perovskite solar cell (and not Silicon-based inorganic solar cells) are unstable towards humidity and oxygen, which restricts their commercialisation.

Silicon-based inorganic solar cells technology requires high-temperature processing that results in the high price of solar panels. Further, the recycling of solar panels is perilous and complicated.

Statement 2 is correct. The Perovskite-based devices also called photovoltaic devices are considered as an alternative to silicon based inorganic solar cells. These Perovskite-based devices are **affordable, easy to manufacture, eco-friendly and can be recycled easily.** Researchers have used a coating of appropriate material on perovskite-based devices so that it becomes 'stable' or less readily affected by the environment, in this case, humidity and oxygen.

Source: Making solar cells efficient, cheaper, recyclable: IIT-Guwahati finds a way -ForumIAS Blog

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Q.6) In the context of the Constitution of India, the President can be removed from his office by a process of impeachment for-
a) Constitutional Misconduct of Grave Nature
b) Holding any other office of profit under the Union Government
c) Violation of the Constitution
d) Being an undischarged insolvent

Ans) c
Exp) Option c is the correct answer.
The President of India can be removed from office by a process of impeachment for '**violation of the Constitution'.** The Constitution does not define the meaning of the phrase 'violation of the Constitution'. The impeachment charges can be initiated by either House of Parliament. These charges should be signed by one-fourth members of the House (that framed the charges), and a 14 days' notice should be given to the President.
After the impeachment resolution is passed by a majority of two-thirds of the total membership of that House, it is sent to the other House, which should investigate the charges. The President has the right to appear and to be represented at such investigation. If the other House also sustains the charges and passes the impeachment resolution by a majority of two-thirds of the total membership, then the President stands removed from his office from the date on which the resolution is so passed. Thus, an **impeachment is a quasi-judicial procedure** in the Parliament.
Source: Laxmikanth

Q.7) With reference to the advice tendered by Council of Ministers to the President, consider the following statements:
1. The 44th Constitutional Amendment Act authorised the President to return a matter once for reconsideration of Council of Ministers.
2. The advice tendered by Council of Ministers to the President can be inquired in Supreme Court only.
Which of the statements given above is/are correct?
a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2

Ans) a
Exp) Option a is the correct answer.
Statement 1 is correct: The 42nd Constitutional Amendment Act of 1976 (enacted by the Indira Gandhi Government) made the President bound by the advice of the council of ministers headed by the prime minister. Later, the **44th Constitutional Amendment Act of 1978** (enacted by the Janata Party Government headed by Morarji Desai) authorised the President to **require the council of ministers to reconsider such advice either generally or otherwise**. However, he 'shall' act in accordance with the advice tendered after such reconsideration. In other words, the President may **return a matter once for reconsideration of his ministers**, but the reconsidered advice shall be binding.
Statement 2 is incorrect: Article 74(2) states that the advice tendered by Ministers to the President **shall not be inquired into in any court**. The Supreme Court has clarified the implications of Art. 74(2) in S.R. Bommai v. Union of India. No court is concerned with what advice was tendered by the Minister to the President. The court is **only concerned with the validity of the order** and not with what happened in the

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inner councils of the President and the Minister. An **order cannot be challenged on the ground that it is not in accordance with the advice tendered by the Minister.**
Source: Laxmikanth Chapter 20
https://blog.ipleaders.in/council-of-ministers-aid-advice-its-scope-ambit/

Q.8) With reference to the qualifications for appointment as the President of India and Governor of a state, which of the following statements is/are correct?
1. Both should be qualified for elections as a member of Lok Sabha.
2. Both should be a citizen of India.
3. Both should have completed 25 years of age.
4. Both should hold an office under the Union government or a state government for at least ten years.
Select the correct answer using the code given below:
a) 1, 2 and 3 only
b) 2 and 3 only
c) 2 only
d) 2 and 4 only

Ans) c
Exp) Option c is the correct answer.
Statement 1 is *incorrect*. A President should be qualified for elections as a member of Lok Sabha but it is not a criterion for the Governor of a state.
Statement 2 is correct. Both the President and the Governor **should be a citizen of India** for his appointment.
Statement 3 is incorrect. Both the President and the Governor should **have completed 35 years** of age.
Statement 4 is incorrect. The President should not hold any office of profit under the Union government or state government. A sitting President or the Vice-President of the union, the governor of any state and a minister of Union or any state is deemed to not hold any office of profit.
Source: Laxmikanth revised edition chapter-30 page- 30.4, Chapter-17 page-17.4

Q.9) In relation to the Council of Ministers, why Prime Minister is called the 'first among the equals'?
1. The President can appoint only those persons as ministers who are recommended by the Prime Minister.
2. The Ministers are Constitutionally required to communicate all decisions relating to their ministry to the Prime Minister.
3. The resignation or death of an incumbent Prime Minister automatically dissolves the entire Council of Ministers.
Select the correct answer using the codes given below:
a) 1 only
b) 1 and 2 only
c) 2 and 3 only
d) 1 and 3 only

Ans) d
Exp) Option d is the correct answer.
Lord Morley described **Prime Minister as 'primus inter pares' (first among equals)** and 'key stone of the cabinet arch'. He said, "The head of the cabinet is 'primus inter pares', and occupied a position which so long as it lasts, is one of exceptional and peculiar authority" The term "prime minister" can be compared to "primary minister" or "first minister".

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Statement 1 is correct: Prime Minister recommends persons who can be appointed as ministers by the president. The **President can appoint only those persons as ministers** who are recommended by the Prime Minister. Prime Minister can ask a minister to resign or advise the President to dismiss him in case of difference of opinion.
Statement 2 is incorrect: It is the duty of the **Prime Minister (not Council of Ministers) to communicate to the President** all decisions relating to the administration of the affairs of the Union and proposals for legislation.
Statement 3 is correct: Since the Prime Minister stands at the head of the council of ministers, the other ministers cannot function when the Prime Minister resigns or dies. In other words, the **resignation or death of an incumbent Prime Minister automatically dissolves the council of ministers** and thereby generates a vacuum. The resignation or death of any other minister, on the other hand, merely creates a vacancy which the Prime Minister may or may not like to fill.
Source: Laxmikanth Chapter 19

Q.10) Consider the following statements with reference to the Gig Economy:
1. It is characterized by short-term contracts or freelance work.
2. The Code on Social Security (2020) provides provisions for gig economy workers.
3. Digital platforms such as Uber and Ola, which act as a bridge by facilitating transaction between sellers and consumers, corresponds to gig economy.
Which of the statements given above are correct?
a) 1 and 2 only
b) 2 and 3 only
c) 1 and 3 only
d) 1, 2 and 3

Ans) d
Exp) Option d is the correct answer.
Recent Code on Social Security Bill, 2020, for the first time in Indian law acknowledges platform workers and gig workers as new occupational categories. The bill attempts to define 'platform work' outside of the traditional employment category.
Statement 1 is correct. The Gig Economy is characterized by **short-term contracts or freelance work** as **opposed to permanent jobs.** It often involves connecting with customers through an online platform. For example, delivery boys of app-based food, consultants, bloggers. The platform work economy is sometimes referred to as the gig worker economy, but Gig economy is a broader term that includes platforms like Uber, Ola Cabs, Swiggy, etc.

1) According to the World Bank, around 6% of the world's labour force is part of the gig economy. Globally, more than half of gig jobs are driven by demand for low-skilled, low-wage work. Only around 30% of them require specialized skills and expertise.

Statement 2 is correct. **The Code on Social Security (2020) makes provisions for gig economy workers**, mandating that the Union and state governments frame and notify relevant welfare schemes. These would provide life and disability cover, health and maternity benefits, old age protection, education, provident funds, injury benefits, and other types of measures.
Statement 3 is correct. Gig Economy describes a way of working where work is assigned on a short-term or job-by-job basis via platforms such as Uber, a taxi app, Zomato, a takeaway food service.
Digital technology has popularised platform-enabled gig work as it made it possible for businesses to leverage gig work to offer on-demand services to users. Instead of hiring employees to offer services to users, platforms act as a bridge by facilitating transaction between sellers and consumers. For instance, a

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taxi driver looking for customers is better benefited by an app like Uber that instantly connects him to someone looking for a cab, rather than to look for one himself.
Source: https://blog.forumias.com/gig-workers-and-their-challenges/

Q.11) Consider the following statements:
1. According to the Constitution of India, a person who is eligible to vote can be made a minister in a State for six months even if he/she is not a member of the Legislature of that State.
2. A person convicted of a criminal offence and sentenced to imprisonment for five years is permanently disqualified from contesting an election.
Which of the statements given above is/are correct?
a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2

Ans) d
Exp) Option d is the correct answer.
Both Statements 1 and 2 are *incorrect*. Every citizen who is 18 years old on the qualifying date (January 1 of the year in case) unless disqualified, is eligible to be enrolled as a voter. Whereas an individual should be at least 25 years of age or more to be a member of the Legislative Assembly or a minister of the state. Thus, not every person who is eligible to vote can be made a minister in a State unless he is of the age as specified. To be able to become a minister, a person should be a member of the state Legislature, however, as an exception, an individual who is not an MLA can be considered as the CM if he gets himself elected to the State Legislature within six months from the date of his appointment.
As per Section 8 of the Representation of People Act 1951, a person convicted of any offence and sentenced to imprisonment for not less than **two years (not five years)** shall be disqualified from the date of such conviction and shall continue to be **disqualified for a further period of six years (not permanently disqualified)** since his release.
Source) UPSC CSE 2020

Q.12) Which of the following statements correctly defines the term 'Kitchen Cabinet'?
a) It is the informal decision-making body with Prime Minister as its head and may include his friends, family and ministers as its members.
b) It is an extra-constitutional Parliamentary body to facilitate in depth examination of policy issues.
c) It is a group of members from opposition party that scrutinises the policies and actions of the ruling government.
d) It is formal body that is collectively responsible to the Lower House of the Parliament for transact of government functions.

Ans) a
Exp) Option a is the correct answer.
Option a is correct. The **'Kitchen Cabinet'** also called as **'Inner Cabinet'** is the is the highest **informal decision-making body** consisting of the **Prime Minister** as its head and some **15 to 20** most important ministers. It may be composed of not only cabinet ministers but also outsiders like friends and family members of the prime minister. It advises the prime minister on important political and administrative issues and assists him in making crucial decisions.

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Option b is incorrect. Cabinet Committees are extra constitutional bodies set up by Prime Minister according to the requirements of the situation. It can be temporary or permanent in nature that targets to reduce enormous workload of cabinet and facilitates in-depth examination of policy issues.

Option c is incorrect. Shadow Cabinet is a **British political institution** where a group of members from the opposition party holds the responsibility **to scrutinize the policies and actions of the ruling government.** It strengthens democracy and would help each party to develop capable leaders who could conduct an informed debate. It works under the Leader of the Opposition and will have expert party workers or neutral members assisting them.

Option d is incorrect. The **Council of Ministers** is a wider constitutional body that is collectively responsible to lower house of the Parliament. Its functions are determined by Cabinet Ministers for implementing government policies or businesses.

Source: https://www.newindianexpress.com/magazine/voices/2018/dec/23/the-need-for-shadow-cabinets-1914569.html

LAXMIKANT CH0COUNCIL OF MINISTERS; CABINET COMMITTEES)

Q.13) With reference to the 'Vice President of India,' consider the following statements:

1. Under original Constitution, the Vice-President was elected by the two Houses of Parliament assembled at a joint meeting.
2. When the post of President falls vacant, the Vice President succeeds to the post for the remainder of the term of the President.
3. The election of a person as Vice-President cannot be challenged on the ground that the electoral college was incomplete.

Which of the statements given above is/are correct?

a) 1 and 2 only
b) 3 only
c) 1 and 3 only
d) 1, 2 and 3

Ans) c

Exp) Option c is the correct answer.

The Vice president of India is the deputy to the head of state of India, i.e., the president of India. The office of vice president is the second-highest constitutional office after the president and ranks second in the order of precedence and first in the line of succession to the presidency. The Vice-President is also the ex officio chairman of the Rajya Sabha.

Statement 1 is correct: The original Constitution provided that the **Vice-President would be elected by the two Houses of Parliament assembled at a joint meeting**. This cumbersome procedure was done away by the 11th Constitutional Amendment Act of 1961. Presently, he is elected by the members of an electoral college consisting of the members of both Houses of Parliament.

Statement 2 is incorrect: Though the office of the Indian Vice-President is modelled on the lines of the American Vice-President, there is a difference. The American Vice-President succeeds to the presidency when it falls vacant, and remains President for the unexpired term of his predecessor. The **Indian Vice-President, on the other hand, does not assume the office of the President when it falls vacant for the unexpired term**. He merely serves as an acting President until the new President assumes charge.

Statement 3 is correct: All doubts and disputes in connection with election of the Vice-President are **inquired into and decided by the Supreme Court** whose decision is final. The election of a person as Vice-President **cannot be challenged** on the ground that the **electoral college was incomplete** (i.e., existence of any vacancy among the members of electoral college). If the election of a person as Vice-President is

declared void by the Supreme Court, acts done by him before the date of such declaration of the Supreme Court are not invalidated (i.e., they continue to remain in force).
Source: LAXMIKANT Ch 20

Q.14) With reference to Central Council of Ministers, consider the following statements:
1. The total number of ministers in the Council cannot exceed 15% of the total strength of both houses of Parliament.
2. Every minister have the right to speak and take part in the proceedings of either House of Parliament.
3. The salaries and allowances of ministers are determined by the President on the advice of the Prime Minister.
Which of the statements given above is/are correct?
a) 1 and 3 only
b) 2 only
c) 2 and 3 only
d) 1 and 2 only

Ans) b
Exp) Option b is the correct answer.
The Central Council of Ministers is the principal executive organ of the Government of India. It is chaired by the prime minister and consists of the heads of each of the executive government ministries.
Statement 1 is incorrect: According to Article 75, the Prime Minister shall be appointed by the President and the other Ministers shall be appointed by the President on the advice of the Prime Minister. The total number of ministers, including the Prime Minister, in the Council of Ministers **shall not exceed 15% of the total strength of the Lok Sabha (not 15% of total strength of Parliament)**. This provision was added by the 91st Amendment Act of 2003.
Statement 2 is correct: Every minister shall have the right to speak and take part in the proceedings of either House, any joint sitting of the Houses and any Committee of Parliament of which he may be named a member. But he shall not be entitled to vote.
Statement 3 is incorrect: The salaries and allowances of ministers are determined by Parliament (not by the President) from time to time. A minister gets the salary and allowances that are payable to a member of Parliament.
Source: LAXMIKANT Ch 20

Q.15) Consider the following statements with reference to the India Semiconductor Mission (ISM):
1. It has been setup as an independent business division within Digital India Corporation.
2. Under this mission, a Design Linked Incentive (DLI) Scheme has been introduced to offer financial incentives to semiconductor industry.
Which of the statements given above is/are correct?
a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2

Ans) c
Exp) Option c is the correct answer.
Semiconductors and displays are the foundation of modern electronics driving the next phase of digital transformation under **Industry 4.0**. Semiconductors and display manufacturing is a technology-intensive

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sector involving huge capital investments, high risk, **long gestation** and payback periods, and rapid changes in technology, which require significant and sustained investments.

Statement 1 is correct. India Semiconductor Mission (ISM) has been **setup as an Independent Business Division within Digital India Corporation.** It is provided with administrative and financial autonomy to formulate and drive India's long-term strategies for developing semiconductors and display manufacturing facilities and semiconductor design ecosystem.

Statement 2 is correct. The Design Linked Incentive (DLI) Scheme, introduced under the India Semiconductor Mission, shall **offer financial incentives as well as design infrastructure** support across various stages of development and deployment of semiconductor design for Integrated Circuits (ICs), Chipsets, System on Chips (SoCs), Systems & IP Cores and semiconductor linked design over a period of 5 years. The Design Linked Incentive (DLI) Scheme shall extend product design linked incentive of **up to 50% of eligible expenditure** and product deployment linked incentive of 6% - 4% on net sales for five years.

Source:

https://pib.gov.in/PressReleasePage.aspx?PRID=1781723#:~:text=The%20India%20Semiconductor%20Mission%20will,on%20Semiconductors%20and%20Display%20ecosystem.

https://www.thehindu.com/todays-paper/tp-opinion/when-the-chips-are-down/article37982201.ece

Q.16) In case a Minister disagrees with policy decisions of the Council of Ministers, then:

1. S/he may give his resignation.
2. S/he may advise the President to dissolve the Council of Ministers.
3. S/he may be removed by the President on advice of the Prime Minister.
4. S/he may give a statement in Parliament regarding his differing views when the policy is being discussed.

Which of the statements given above are correct?

a) 1, 3 and 4 only
b) 2 and 3 only
c) 1 and 3 only
d) 1, 2 and 4 only

Ans) c

Exp) Option c is the correct answer.

Recently the government in the United Kingdom has seen quick succession of resignations of the PM and other Ministers of the Council of Ministers (CoM). This is due to the principle of Collective Responsibility, which governs the decision making of the CoM in a Parliamentary Democracy. Both India and the UK have a system of Parliamentary Democracy. Article 75 of the Indian Constitution, states that the CoM is collectively responsible to the Parliament. This has significant bearing in case a single Minister of the CoM disagrees with the policy decisions.

Statement 1 is correct: Since **Article 75** insists on the principle of **collective responsibility**, the Minister with the dissenting opinion can **either agree** with the decision (having **expressed his dissent behind closed doors** within the CoM **only**). Or if his **conscience does not allow him to agree** with a certain decision, he can **resign his post as a Minister** of the CoM.

Statement 2 is incorrect: Only the Prime Minister, as the **head of the CoM**, and **not any other Minister** has the **right/ authority to advise the President to dissolve the CoM**. Hence this statement is **incorrect.**

Statement 3 is correct: If the **dissenting Minister refuses** to put up a **joint front, or resign** from the CoM on his own, the **PM** (and nobody else) may use his powers as the head of the CoM and **advise the President to remove** such a Minister from the CoM, so that the decisions of the CoM appear collective, and not fractured, in the Parliament. Hence this statement is **correct.**

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Statement 4 is incorrect: As discussed previously, **Article 75**, makes it mandatory for the CoM to observe the principle of **Collective Responsibility**. This means that **members of CoM can disagree within closed walls** during its discussions, but **once a decision is taken**, they **all have to agree** with it, **abide** by it, and **defend it in the Parliament and in public**. So, **any Minister with a dissenting view,** must either **convince his colleagues** during closed door discussions of the CoM, or **himself change his view** to agree with it, or failing all else, **resign**. He/ She however, **cannot under any circumstance**, go out in the public or in the Parliament and **give a contrary statement registering his disagreement** with the policies of the CoM, while he is still occupying a post as a Minister. Hence this statement is **incorrect.**
Source: Indian Polity by Laxmikanth, 5th edition, Ch-20, Pg-20.3

Q.17) In which of the following way(s) the office of Attorney General of India differs from the office of Solicitor General of India?
1. Unlike Attorney General, the Constitution of India does not mention about the office of Solicitor General.
2. Unlike Solicitor General, Attorney General has the right to speak and participate in the proceedings of the Parliament.
Select the correct answer using the code given below:
a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2

Ans) c
Exp) Option c is the correct answer.
Statement 1 is correct: The Constitution (Article 76) has provided for the office of the Attorney General for India. He is the highest law officer in the country. However, the Constitution of India does not mention about the solicitor general and additional solicitor general. Solicitor General and Additional Solicitor General's office are governed by Law Officers (Conditions of Service) Rules, 1987.
Statement 2 is correct: In the performance of his official duties, the Attorney General has the right to speak and to take part in the proceedings of both the Houses of Parliament or their joint sitting and any committee of the Parliament of which he may be named a member, but without a right to vote. He enjoys all the privileges and immunities that are available to a member of Parliament. **Solicitor general has no right to speak and participate in the proceedings of the parliament.**
Source: Indian Polity by M. Laxmikant

Q.18) With reference to the procedure for the removal of the Vice President of India, consider the following statements:
1. The motion for his removal can be introduced in the Rajya Sabha only.
2. The motion for his removal is required to be passed in both the Houses by Special Majority.
3. An advance notice is needed before the proceedings for the removal can take place.
4. 'Violation of the Constitution' is the only ground mentioned in the Constitution for his removal.
Which of the statements given above is/ are correct?
a) 1 and 2 only
b) 1 and 3 only
c) 3 and 4 only
d) 1, 3 and 4 only

Ans) b
Exp) Option b is the correct answer.

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The Vice President of India is the second highest constitutional office in India. He is a part of the Union Executive. The constitution contains various provisions with respect to the office of the Vice President - including his selection, term, duties, removal, etc. The provisions regarding his removal are mentioned in Article 67 of the Indian constitution.

Statement 1 is correct: The **Vice President** is the **Ex-Officio Chairperson** of the **Rajya Sabha**, and **primarily all his duties** lie in **that House of the Parliament** only (except when he is Acting as the President due to some emergency). Hence, as per **Article 67(b)** of the Indian constitution, the **motion for removing** the Vice-President from his office before the expiry of his term can be **originated in the Rajya Sabha only**. Hence this statement is **correct**.

This is in **contrast** to the office of the **President**, as the **motion** for his **impeachment (removal)** can be **originated in either House** of the Parliament.

Statement 2 is incorrect: The **motion for the removal** of the Vice President originates in the Rajya Sabha, but is **required to be passed in both**, the **Rajya and the Lok Sabha**, before it can take effect. So, both the Houses of the Parliament take part in the process of the Vice-President's removal.

In **Rajya Sabha,** where the removal motion originates, only an **Effective (not Special) Majority is required**. Hence this statement is **incorrect**.

Effective majority means **more than 50% of the strength** of the House **at that particular point of time**. In **Lok Sabha**, a different type of majority - a **Simple Majority** is required. Simple Majority means **more than 50%** of the number of members **present and voting at that time**.

Statement 3 is correct: According to **Article 67(b)** of the Indian constitution, **no proceedings** (i.e., introduction of the motion for removal) **for the removal** of the Vice President can take place, **without** a **compulsory advance notice period of 14 days**. Hence this statement is **correct.**

Statement 4 is incorrect: The **constitution** has **provided NO grounds** for the **removal of the Vice President**. These **may or may not be mentioned in the motion** for his **removal**. Hence this statement is **incorrect**.

It must be noted that '**Violation of the constitution'** is the **ground for removal** of the **President**, as mentioned in the **Indian constitution**.

Source: Indian Polity by Laxmikanth, 5th edition, Ch-18, Pg-18.3;
https://vicepresidentofindia.nic.in/vice-president-india-and-constitution
https://www.constitutionofindia.net/constitution_of_india/the_union/articles/Article%2067

Q.19) With reference to the Prime Minister in Indian Polity, consider the following statements:
1. S/he advises the President regarding the summoning and proroguing of sessions of Parliament.
2. S/he has a duty to keep the President informed of the affairs related to Union administration.
3. S/he acts as the Supreme Commander of the armed forces.
Which of the statements given above is/are correct?
a) 1 only
b) 1 and 2 only
c) 2 and 3 only
d) 1, 2 and 3

Ans) b

Exp) Option b is the correct answer.

The Prime Minister (PM) is the head of the party/ coalition which commands the majority in India's Parliamentary democratic system. Article 74, 75 and 78 details the various duties and responsibilities of the PM with respect to the executive as well as the legislative organs of the government.

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Statement 1 is correct: Among the various areas of his responsibilities, are the r**esponsibilities of the PM towards the Parliament**. He is the one who **advises the President** as to the **dates** on which the **Parliament should be summoned, and when its sessions should be prorogued**. Hence this statement is **correct.**
Statement 2 is correct: The Constitution **(Article 78)** envisages the **PM as the channel/ conduit** which **relays all the communication** regarding various aspects of **administration, the bureaucracy** as well as the **decisions of the Council of Ministers** to the **President**. Hence this statement is **correct**.
Statement 3 is incorrect: It is the **President**, as the **head of the Executive (not the PM),** who is the **supreme commander** of all the **3 wings of Indian armed forces**. Hence this statement is **incorrect.**
Source: Indian Polity by Laxmikanth, 5th edition, Ch-19, Pg-19.2, 19.3, 19.4; Ch-17, Pg-17.9

Q.20) Troika refers to the top grouping that consists of the current, previous and the incoming presidencies of which of the following?
a) G-20
b) European Union
c) United Nations General Assembly
d) Asian Development Bank

Ans) a
Exp) Option a is the correct answer.
Troika refers to the **top grouping within the G20** that consists of the **current, previous and the incoming presidencies;** currently they are **Indonesia, Italy and India**.
The G20 is the premier forum for **international economic cooperation**, which reflects a recognition that global prosperity is interdependent, and our economic opportunities and challenges are interlinked. G20 countries have come together to better prepare for the future.
As a founding member of the G20, India has used the platform to raise issues of vital importance and those that impact on the most vulnerable around the world.
Source: https://www.mea.gov.in/press-releases.htm?dtl/34551/India_enters_G20_Troika

Q.21) Consider the following statements:
1. The Chief Secretary in a State is appointed by the Governor of that State.
2. The Chief Secretary in a State has a fixed tenure.
Which of the statements given above is/are correct?
a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2

Ans) d
Exp) Option d is the correct answer.
Neither 1 nor 2 is correct. The Chief Secretary of the state is **appointed by the Chief Minister** of the state.
There is no fixed tenure of a Chief Secretary in a state.
However, at the central level, there is assured tenure of two years for Cabinet Secretary, Home Secretary, Defence Secretary, Foreign Secretary as well as RAW and IB chief.
The Administrative Reform Commission in 1969 had recommended that a Chief secretary should have a minimum tenure of three to four years.
Source) UPSC CSE 2016

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Q.22) With reference to the executive in a state, consider the following statements:
1. A Vote of no confidence against Council of Ministers leads to the fall of Government.
2. The ministers hold office during the pleasure of the Governor.
Which of the statements given above is/ are correct?
a) 1 only
b) 2only
c) Both 1 and 2
d) Neither 1 nor 2

Ans) c
Exp) Option c is the correct answer.
In the Parliamentary system, the core of the Executive in a state is formed by the Council of Ministers (CoM) led by the Chief Minister.
Statement 1 is correct: Article 164 of the Indian Constitution **mandates the CoM** to follow the **Principle of Collective Responsibility**. This means that **all the members of the CoM** are t**ogether responsible to the state legislature** for their **acts of omission** (what they decide not to do) **and commission** (what they decide to do). In case of passing of no confidence motion against CoM it will result in **fall of government**.
Statement 2 is correct: Article 164 says that the ministers shall hold office during the pleasure of the Governor.
Source: Indian Polity by Laxmikanth, 5th edition, Ch-20, Pg-20.3, 20.4

Q.23) Consider the following statements:
1. During National Emergency, the Central government can give executive directions to a state on any matter.
2. During President's Rule, the state Council of Ministers is dismissed and the state legislature is suspended or dissolved.
Which of the statements given above is/are correct?
a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2

Ans) c
Exp) Option c is the correct answer.
Statement 1 is correct: During **National Emergency declared under Article 352**, the state executive and legislature continue to function and exercise the powers assigned to them under the Constitution. But during a national emergency, the executive power of the Centre extends to directing any state regarding the manner in which its executive power is to be exercised.
That is the Centre becomes entitled to give executive directions to a state on 'any' matter. Thus, the **state governments are brought under the complete control of the Centre.**
Statement 2 is correct: During **Emergency declared under Article 356**, the state executive is **dismissed and the state legislature is either suspended or dissolved.** Article 357 provides for the administers the state by the President through the Governor and the Parliament makes laws for the state. In brief, the **executive and legislative powers of the state are assumed by the Centre.** Under this, the Parliament can delegate the power to make laws for the state to the President or to any other authority specified by him. Under this, the relationship of only the state under emergency with the Centre undergoes a modification.
Source: Indian Polity by Laxmikant – 6th Edition – Chapter 16 – Emergency.

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Q.24) With reference to the comparison between the Cabinet Committees and the Group of Ministers (GoM) in the Indian Polity, consider the following statements:
1. Neither of the two bodies are mentioned in the constitution.
2. Both are ad hoc bodies created to consider only the Demands for Grants of the Ministries.
3. While Cabinet Committees consist of only ministers of Cabinet rank, ministers of any rank can be a part of GoM.
Which of the statements given above is/ are correct?
a) 1 only
b) 1 and 3 only
c) 1 and 2 only
d) 2 and 3 only

Ans) a
Exp) Option a is the correct answer.
In order to carry out the complex administrative tasks of a country as vast and diverse as ours, certain innovations are made by the Executive from time to time. An example of these innovations are bodies like the Cabinet Committees and the Group of Ministers (GoM). While somewhat similar, these bodies are different in many ways.
Statement 1 is correct: Both Cabinet Committees and **GoM** are **extra-constitutional bodies**. This means that they **don't owe their existence to the constitution** (i.e., they are **not mentioned in it**). They are an **instrument of the Executive's innovation** in order to **lighten the administrative workload** and better tackle some emergency situations requiring more attention and coordination of the Executive. Hence this statement is **correct**.
Cabinet Committees are found **mentioned in the Rules of Business,** which provide the option of establishing them by the **order of the Prime Minister**. The **GoM is created** on the **instructions of the PM** to tackle certain emergent issues and critical problems. They are **not mentioned in any Rules or Procedures** relating to the Parliament or the Executive.
Statement 2 is incorrect: It is the Department-related Parliamentary Standing Committees which consider the Demands for Grants of the related Ministries/Departments.
The **Cabinet Committees** can be of **two types - Standing (permanent,** like Economic Affairs Committee, Appointments Committee, etc) or ***ad hoc* (temporary)**. On the other hand, the **GoM is a strictly *ad hoc* body only**. It is **created to look into** a certain **critical issue** requiring greater focus, attention and coordination, and is **disbanded after the issue has been managed** (for ex GoM for Commonwealth Games, 2010 hosted by India). Hence this statement is **incorrect.**
Statement 3 is incorrect: Both Cabinet Committees, as well as GoM can have ministers as its members who are of the Cabinet rank, as well as any other rank, if they have a role to play, or are related in some way with the issue being resolved by these. **Hence this statement is incorrect.**
Source: Indian Polity by Laxmikanth, 5th edition, Ch-21, Pg-21.1, 21.2

Q.25) Which among the following statements is/are correct with regard to 'Gaganyaan Mission' programme?
1. Gaganyaan is India's first Human Space Flight to send humans to Medium-earth Orbit.
2. Two unmanned missions and one manned mission are approved as part of the programme.
3. Russia trains the astronauts who were selected to become crew of the Gaganyaan mission.

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Select the correct answer using the code given below:
a) 1 only
b) 1 and 2 only
c) 2 and 3 only
d) 1, 2 and 3

Ans) c
Exp) Option c is the correct answer.
Gaganyaan is India's first Human Space Flight Programme to be **launched by the ISRO**. The Gaganyaan Programme envisages undertaking the demonstration of human spaceflight in the short-term and will lay the foundation for a sustained Indian human space exploration programme in the long run.
Statement 1 is incorrect: Gaganyaan would demonstrate India's capability to send humans to low earth orbit (LEO) (**and not Medium-Earth Orbit)** onboard an Indian Launch Vehicle and bring them back to earth safely.
Statement 2 is correct:
As part of this programme, two unmanned missions and one manned mission are approved by Government of India (GoI).
The objective of Gaganyaan programme is to demonstrate indigenous capability to undertake human space flight mission to LEO. The 1st Uncrewed mission of Gaganyaan(G1) are scheduled to be launched during the beginning of the 2nd half of 2022. This will be followed by a second Uncrewed mission at the end of 2022 carrying "Vyom Mitra", a spacefaring human-robot developed by ISRO. Finally, the **first crewed Gaganyaan Mission will be launched in 2023.**
Statement 3 is correct: Russia and France are two main countries currently aiding India in the Gaganyaan Mission. Russia will be **training the astronauts** who will go onboard the Gaganyaan Mission. It will also provide equipment like a spacesuit, crew seat and Viewport. France will be training **medical support personnel** for the mission. It will also be supplying fireproof carry bags made in France to shield equipment from shocks and radiation.
Recently four Indian officers, who were selected to become astronauts to crew Gaganyaan into orbit, have completed their one-year training course in Russia.
Knowledge Base:
1) GSLV Mk III, also called the LVM-3 (Launch Vehicle Mark-3,) the three-stage heavy lift launch vehicle, will be used to launch Gaganyaan as it has the necessary payload capability.
Source: https://pib.gov.in/PressReleasePage.aspx?PRID=1779647

Q.26) Consider the following statements about the effect of National emergency on the Fundamental Rights of the citizens:
1. Unlike Article 358, Article 359 suspends the fundamental rights for the entire duration of Emergency.
2. Unlike Article 358, Article 359 suspends the fundamental rights in case of both External as well as Internal Emergency.
3. Neither Article 358 nor Article 359 result in the suspension of fundamental rights guaranteed by Articles 20 and 21.
Which of the statements given above is/are correct?
a) 1 and 2 only
b) 2 and 3 only
c) 3 only
d) 1, 2 and 3

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Ans) b

Exp) Option b is the correct answer.

Statement 1 is *incorrect*. **Article 358 suspends** Fundamental Rights under Article 19 for the **entire duration** of Emergency while Article **359 suspends** the enforcement of Fundamental Rights for a **period specified** by the president which may either be the entire duration of Emergency or a shorter period.

Statement 2 is correct. Article **358 operates only in case of External Emergency** (that is, when the emergency is declared on the grounds of war or external aggression) and not in the case of Internal Emergency (ie, when the Emergency is declared on the ground of armed rebellion). On the other hand, Article **359**, operates in case of **both External Emergency** as well as **Internal Emergency**.

Statement 3 is correct. **Article 358 is confined to Fundamental Rights under Article 19 only** whereas Article 359 extends to all those Fundamental Rights whose enforcement is suspended by the Presidential Order.

According to Article 358, when a proclamation of national emergency is made, the six Fundamental Rights under Article 19 of the Constitution are automatically suspended.

The 44th Amendment Act of 1978 restricted the scope of Article 359 by **not allowing President to suspend the right to move the Court for the enforcement of fundamental rights guaranteed by Articles 20 to 21**.

In other words, t**he right to protection in respect of conviction for offences (Article 20) and the right to life and personal liberty (Article 21) remain enforceable even during emergency**.

Source: M. Laxmikanth Chapter 16 Emergency Provisions

Q.27) With reference to the comparisons between the provisions for National Emergency and Financial Emergency in the Indian constitution, consider the following statements:

1. Declaration of both types of Emergencies has to be approved by the Parliament within 1 month.
2. Both needs to be approved by a two-third majority of members in both the Houses of Parliament.
3. Both types of Emergencies can continue to operate for an indefinite period of time.
4. President's revocation of both types of Emergencies requires Parliamentary approval by a simple Majority.

Which of the statements given above is/ are correct?

a) 1 and 2 only
b) 3 only
c) 1 and 3 only
d) 2 and 4 only

Ans) b

Exp) Option b is the correct answer.

Emergency provisions are a group of provisions in Part XVIII of the Indian constitution, which deal with the centre-state relations in case of any unforeseen situation. The rationale behind these provisions is to safeguard sovereignty, unity, integrity and security of the country, the political system and its Constitution.

Statement 1 is incorrect: Declaration of **National Emergency** under **Article 352** of the constitution requires **Parliamentary approval (from both Houses)** within **1 month** of declaration in order to be valid. While in the case of the declaration of **Financial Emergency,** this period is **2 months**. Hence this statement is **incorrect**.

Originally the **time period** allotted for **Parliamentary approval** of declaration of **National Emergency was 2 months too**. However, a**fter** the **Debacle of the Emergency in 1975**, the new government through the 4**4th Constitutional Amendment Act, 1978**, **reduced this period to 1 month** in this case **to prevent future misuse** of this provision.

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Statement 2 is incorrect: Originally declaration of **both National** and **Financial Emergency approval by the Parliament** required only a **Simple Majority in** both the Houses. However, **after the Emergency in 1975**, the new government, through the 4**4th Constitutional Amendment Act, 1978** made the **Parliamentary approval for National Emergency's declaration** possible only when passed through a **Special Majority (more than ⅔ members present & voting) in both the Houses.** The provisions for Parliamentary approval in case of **Financial Emergency remained untouched, and still require only a Simple Majority in both the Houses.**

Statement 3 is correct: There is **no limit** on the **total duration of time** for which **both, the National** as well as **Financial Emergencies** can **remain in operation**. Hence this statement is **correct.**

However, it must be noted that there is a **major difference** between these two on this front. While the **Financial Emergency** can **continue to remain in operation without any periodic confirmation** required for its continuance from the Parliament, in case of **National Emergency**, the procedure is slightly different. In case of National Emergency, a **Parliamentary approval, from both the Houses** of the Parliament is **required every 6 months for it to continue**. Also note, that in case of **President's Rule**, this **redeclaration can only extend to a maximum of 3 years** (6 months at a time).

Statement 4 is incorrect: The **President can revoke both**, the **National Emergency**, as well as F**inancial Emergency** through a **proclamation**, at any time. In **both cases, no Parliamentary approval** is **required** for the revocation proclamation of the president. Hence this statement is **incorrect**.

Note, that in case of National Emergency only, Lok Sabha can pass a resolution, demanding discontinuation of the National Emergency, at any time, with just a Simple Majority. This was another of the safeguards added by the 44th Constitutional Amendment Act of 1978 to prevent misuse of Emergency provisions.

Source: Indian Polity by Laxmikanth, 5th edition, Ch-16, pg-16.2, 16.3, 16.6, 16.10

Q.28) With reference to the various important provisions of the Indian constitution, consider the following pairs:

Article No	***Subject Matter***
1. Article 352	Imposition of National Emergency
2. Article 356	Duty of Union to protect States against external aggression & internal disturbance
3. Article 360	Failure of constitutional machinery in states
4. Article 365	Effect of failure to comply with directions given by the Union to states

How many pairs given above are correctly matched?

a) Only one pair
b) Only two pairs
c) Only three pairs
d) All four pairs

Ans) b

Exp) Option b is the correct answer.

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Emergency provisions are a group of provisions in Part XVIII of the Indian constitution, which deal with the centre-state relations in case of any abnormal situation. The rationale behind these provisions was to safeguard sovereignty, unity, integrity and security of the country, its political system and its Constitution.
Pair 1 is correct: Article 352 declares **what is meant by a National Emergency.** According to it, the President can declare National Emergency when the **security of India or a part of it** is **threatened by** a) **war,** or b) **external aggression** or c) **armed rebellion**.
Pair 2 is incorrect: Article 356 declares the **effect of the failure of constitutional machinery in a state**, i.e., **President's Rule/ State emergency**. It is **Article 355**, which deals with the **duty** of the **Union to protect states against external aggression & internal disturbance** and **ensuring** that **government in each state** is carried on **according to the provisions of the constitution** (i.e., **properly working constitutional machinery** in the state).
Pair 3 is incorrect: Article 360 deals with the **definition of situations** in which a **Financial Emergency** may be announced in **entire India or a part thereof.**
Pair 4 is correct: Article 365 is a provision which **supports Article 356** in d**eclaring the President's Rule** in a state of the country. This Article says that the **states are bound to follow the directions** given by the **Union Executive**. In case the **state wilfully ignore**s these directions, it will be said to **mean a breakdown of constitutional machinery** in that state and will make it **liable to be declared under President's Rule/ State Emergency**.
Source: Indian Polity by Laxmikanth, 5th edition, Ch-16, Pg-16.1, 16.5, 16.6, 16.9

Q.29) Which of the following type(s) of responsibility is enforced by the Constitution on the Council of Ministers?
1. Collective Responsibility
2. Individual Responsibility
3. Legal Responsibility
Select the correct answer using the code given below.
a) 1, 2 and 3
b) 1 only
c) 2 and 3 only
d) 1 and 2 only

Ans) d
Exp) Option d is the correct answer.
Statement 1 is correct: Article 75 states that the Council of Ministers are collectively responsible to the Lok Sabha. When the Lok Sabha passes a no-confidence motion against the Council of Ministers, all the ministers have to resign including those ministers who are from Rajya Sabha.
Statement 2 is correct: Article 75 also contains principle of Individual responsibility. It states that ministers hold office during the pleasure of President. The President can remove the minister only on the advice of Prime Minister. In case of difference of opinion, the Prime Minister can ask President to remove a minister. This provision helps in realisation of collective responsibility.
Statement 3 is incorrect: In Britain, every order of the King is countersigned by a minister, thus making the minister legally responsible for the action. But in India, all orders are issued in the name of the President, hence there is no provision for legal responsibility.
Source: Indian Polity - M Laxmikanth - Fifth Edition, Page - 20.3, 20.4

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Q.30) Which among the following statements are correct with regards to NFTs (Non-fungible Tokens)?
1. They are not plagiarism-proof.
2. The process of minting an NFT is totally free-of-cost.
3. Each NFT has a digital signature that makes it impossible for an NFTs to be exchanged for another.
Select the correct answer using the code given below:
a) 1 and 2 only
b) 2 and 3 only
c) 1 and 3 only
d) 1, 2 and 3

Ans) c
Exp) Option c is the correct answer.
Non-Fungible Tokens (NFTs) are unique cryptographic tokens that exist on a blockchain and cannot be replicated. They are one-of-a-kind **assets in the digital world that can be bought and sold** like any other piece of property, but they have no tangible form of their own.
Statement 1 is correct: NFTs are **not plagiarism-proof**. NFTs are like a deed that confirms the ownership of the asset. This does not restrict anyone to counterfeit or copy the asset. For example, a song can, be turned into NFT. One may have full ownership rights of the song but this **cannot prevent someone else copying the same.**
Statement 2 is incorrect: There are **several costs** that are incurred while minting and selling an NFT. This includes platform fees, minting fees, sales fees etc. Thus, minting an NFT is **not free-of-cost**.
Statement 3 is correct: **Each NFT has a digital signature that makes it impossible for NFTs to be exchanged for or equal to one another** (hence, non-fungible). Physical money and cryptocurrencies are "fungible," meaning they can be traded or exchanged for one another.
Source: https://www.livemint.com/opinion/online-views/nfts-are-overhyped-but-useful-for-our-creative-economy-11638896564067.html
https://www.cnbctv18.com/cryptocurrency/how-to-mint-nfts-astep-by-step-guide-12058112.htm

Q.31) Consider the following statements:
1. No criminal proceedings shall be instituted against the Governor of a State in any court during his term of office.
2. The emoluments and allowances of the Governor of a State shall not be diminished during his term of office.
Which of the statements given above is/are correct?
a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2

Ans) c
Exp) Option c is the correct answer.
Statement 1 is correct. According to provisions made in the Constitution, Governor of a state has following immunity-
Article 361(2): During his term of office, he is immune from any criminal proceedings, even in respect of his personal acts.
Statement 2 is correct. As par Article 158(4) of the Indian Constitution, the emoluments and allowances of the Governor cannot be diminished during his term of office.
Source) UPSC CSE 2018

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Q.32) With reference to Cabinet Committees in Indian polity, consider the following statements:
1. All the Cabinet Committees are chaired by the Prime Minister.
2. Currently, there are twenty-four Cabinet Committees functioning in India.
3. No Cabinet Committee can take any binding decisions on any ministries/departments without the approval of full Cabinet.
Which of the statements given above is/are correct?
a) 1 only
b) 2 and 3 only
c) 1 and 3 only
d) None

Ans) d
Exp) Option d is the correct answer.
Cabinet committees are those extra-constitutional bodies that help in the management of the complex business of the government. These committees draw their roots from the Indian Council Act, 1861. These are mentioned in the Rules of Business, which are an instrument of the Executive's innovation in order to lighten the administrative workload.
Statement 1 is incorrect: Most (not all) of the **Cabinet Committees** are **chaired by the Prime Minister**. Hence this statement is **incorrect**.
Especially **those cabinet committees** of which **PM is a part**, he/she **is the chairman by default**. However, **other important Ministers** like those of **Finance or Home** are **also chairman** of some important Cabinet Committees, for example the **cabinet committee on Parliamentary Affairs** is chaired by the **Home Minister.**
Statement 2 is incorrect: As of 2022, there are eight Cabinet committees functioning namely:
1) Appointments Committee of the Cabinet
2) Cabinet Committee on Accommodation
3) Cabinet Committee on Economic Affairs
4) Cabinet Committee on Parliamentary Affairs
5) Cabinet Committee on Political Affairs
6) Cabinet Committee on Security
7) Cabinet Committee on Investment and Growth
8) Cabinet Committee on Employment and Skill Development
Statement 3 is incorrect: Cabinet committee is a group of ministers which can take collective decisions that are **binding across various ministries/departments. Cabinet Committees** do **make recommendations** for the Cabinet to act upon, however, **some of the Cabinet committees** are also **empowered to take decisions on their own**. The decisions of Cabinet Committee on Political Affairs or the Cabinet Committee on Economic Affairs is quite **final and does not need the approval of the full Cabinet.**
Source: Indian Polity by Laxmikanth, 5th edition, Ch-21, Pg-21.1,21.2

Q.33) With reference to the differences between the Council of Ministers (CoM) and the Cabinet, consider the following statements:
1. Unlike the Cabinet, the CoM does not usually meet as a body to transact government business and has no collective functions.
2. While the CoM is a constitutional body, the term 'Cabinet' is not mentioned in the Constitution.
3. While the CoM is presided over by the Prime Minister, the Cabinet Secretary presides over Cabinet meetings.

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Which of the statements given above is/ are correct?
a) 1 only
b) 2 and 3 only
c) 1 and 2 only
d) 1 and 3 only

Ans) a
Exp) Option a is the correct answer.
India is a Parliamentary Democracy. Its Executive consists of the Council of Ministers headed by the Prime Minister advising the President at its core. The Cabinet is a smaller and more central part of the Council of Ministers which handles all the core and most important decision making of the government. Following is a discussion on some of the differences between these two bodies.
Statement 1 is correct: The **Council of Minister (COM)** is a **very wide body**, containing **various levels and types of Ministers**, having **different powers and functions,** so the **CoM does not have any uniform collective function** as such. CoM does not usually meet as a body to transact government business and has no collective functions. On the other hand, the **Cabinet** is the **innermost circle of the Executive**, consisting of **Ministers holding the most important portfolios** as well as the **Prime Minister**. It is this cabinet which **takes all the important politico-administrative decisions**, and **tenders the advice to the President**, that is often found mentioned in the constitution.
Statement 2 is incorrect: The **CoM** finds **mention in the Indian constitution** in **Article 74 and 75** which details its **structure and role in the Parliamentary democracy**. The **word cabinet** was **not found originally** in the constitution, but by the **44th constitutional amendment of 1978,** the word 'cabinet' was **inserted in Article 352**. This Article only defines a cabinet saying it is 'the council consisting of the Prime Minister and other ministers of cabinet rank appointed under Article 75' and **does not describe its power and functions**. Hence this statement is **incorrect**, as **both the words find mention** in the **Indian Constitution**. The only difference is that the constitution describes CoM in detail, while the Cabinet is only mentioned once and briefly.
Statement 3 is incorrect: The Prime Minister is the *de jure* (real) head of the Executive**. So, it is the Prime Minister only who presides over both, the CoM and the Cabinet meetings. Hence this statement is incorrect.**
Source: Indian Polity by Laxmikanth, 5th edition, Ch-20, pg-20.4, 20.5

Q.34) With reference to the imposition of President's Rule in a state, consider the following statements:
1. It can be imposed if a state fails to comply with the directions given to it by the Union government.
2. It must be approved by the Parliament within two months from the date of its proclamation.
3. A resolution approving the proclamation of President's Rule requires only a simple majority.
4. The 44th Amendment Act provides some conditions for its extension beyond one year.
Which of the statements given above are correct?
a) 1 and 2 only
b) 2 and 3 only
c) 1, 3 and 4 only
d) 1, 2, 3 and 4

Ans) d
Exp) Option d is the correct answer.
Article 355 imposes a duty on the Centre to ensure that the government of every state is carried on in accordance with the provisions of the Constitution. And the Centre takes over the government of a state

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under Article 356 in case of failure of constitutional machinery in state. This is popularly known as 'President's Rule' or 'State Emergency' or 'Constitutional Emergency'.

Statement 1 is correct: The President's Rule can be proclaimed under Article 356 on two grounds–one mentioned in Article 356 itself and another in Article 365:

1) **Article 356** empowers the President to issue a proclamation, if he is satisfied that a situation has arisen in which the **government of a state cannot be carried on in accordance with the provisions of the Constitution.**

2) **Article 365** says that **whenever a state fails to comply with or to give effect to any direction from the Centre,** it will be lawful for the President to hold that a situation has arisen in which the government of the state cannot be carried on in accordance with the provisions of the Constitution.

Statement 2 is correct: A proclamation imposing President's Rule must be **approved by both the Houses of Parliament** within **two months** from the date of its issue. However, if the proclamation of President's Rule is issued at a time when the Lok Sabha has been dissolved or the dissolution of the Lok Sabha takes place during the period of two months without approving the proclamation, then the proclamation survives until 30 days from the first sitting of the Lok Sabha after its reconstitution, provided the Rajya Sabha approves it in the meantime.

Statement 3 is correct: Every resolution approving the proclamation of President's Rule or its continuation can be passed by either House of Parliament **only by a simple majority, that is, a majority of the members of that House present and voting.**

Statement 4 is correct: The 44th Amendment Act of 1978 provided that, beyond one year, the President's Rule can be extended by six months at a time only when the following two conditions are fulfilled:

1) a **proclamation of National Emergency should be in operation in the whole of India**, or in the whole **or any part of the state**; and

2) the **Election Commission must certify** that the general elections to the legislative assembly of the concerned state cannot be held on account of difficulties.

Knowledge Base:

A proclamation of President's Rule may be revoked by the President at any time by a subsequent proclamation. Such a proclamation does not require the parliamentary approval.

Source: Indian Polity by Laxmikant – 6th Edition – Chapter 16 – Emergency.

Q.35) Consider the following statements regarding National Family Health Survey-5:

1. The Phase-II of the National Family Health Survey-5 covers only the North-Eastern states and Union Territories of India.
2. All States and Union Territories covered under Phase-II have achieved replacement level of fertility.
3. More than half of the children and women are anaemic in all the phase-II States/Union Territories covered.

Which of the statements given above is/are correct?

a) 1 and 2 only
b) 2 only
c) 1 and 3 only
d) 3 only

Ans) d

Exp) Option d is the correct answer.

The National Family Health Survey (NFHS) is a large-scale, multi-round survey conducted based on the representative samples collected from households throughout India. NFHS is released by the **Ministry of Health and Family Welfare (MOHFW).**

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But the MOHFW **designated the International Institute for Population Sciences (IIPS), Mumbai, as the nodal agency**. The IIPS is responsible for providing coordination and technical guidance for the survey.

Statement 1 is incorrect. Ministry of Health and Family Welfare (MOHFW) has released the 2019-21 National Family Health Survey (NFHS-5) that belongs to phase-2 states along with all-India data. **Not only the North Eastern states and Union Territories are included in the Phase II of the Survey.**

States covered in NFHS-5 phase II: Arunachal Pradesh, Chandigarh, Chhattisgarh, Haryana, Jharkhand, Madhya Pradesh, NCT of Delhi, Odisha, Puducherry, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh and Uttarakhand.

Statement 2 is incorrect. According to the **findings of NFHS-5 Phase II, Total Fertility Rates (TFR) declined from 2.2 to 2.0 at the national leve**l. All Phase-II States have achieved replacement level of fertility (2.1) **except Madhya Pradesh, Rajasthan, Jharkhand and Uttar Pradesh.**

The total fertility rate (TFR) of a population is the average number of children that would be born to a woman over her lifetime.

Statement 3 is correct. According to the survey, **more than half of the children and women (including pregnant women**) are **anaemic in all the phase-II States/UTs** and all-India levels compared to NFHS4.

Assam is among the worst-performing states, with a huge spike in anaemic cases.

Knowledge Base:

Other Key Findings of NFHS-5 Phase II:

1) **Contraceptive Prevalence Rate (CPR)**: Increased from 54% to 67% at an all-India level and in almost all Phase-II States/UTs with an exception of Punjab.
2) **Full immunization drive**: Improved among children aged 12-23 months from 62% (NFHS-4) to 76% at an all-India level.
3) **Institutional births**: Increased substantially from 79% to 89% at all-India levels. Institutional delivery is 100% in Puducherry and Tamil Nadu and more than 90 per cent in 7 States/UTs out of 12 Phase II States/UTs.]
4) **Child Nutrition**: When compares to NFHS-4, 1. Stunting – declined from 38.4% to 35.5%, 2. Wasting declined from 21% to 19.3%, 3. Underweight – declined from 35.8% to 32.1% and 4. Overweight – Increased from 2.1% to 3.4%. Further, breastfeeding is also shown an improvement from 55% in 2015-16 to 64% in 2019-21.
5) **Child marriage**: Declined from 27% to 23% in the last five years. West Bengal and Bihar had the highest prevalence of girl child marriage, and this has remained unchanged since the NFHS-4.
6) **Women's empowerment**: Significant progress has been recorded between NFHS-4 and NFHS-5 in regard to women operating bank accounts from 53% to 79% at an all-India level.

Source: https://blog.forumias.com/union-health-ministry-releases-nfhs-5-phase-ii-findings

What is National Family Health Survey (NFHS)? |ForumIAS Blog

Q.36) Which of the following statements is/are correct about the appointment of Chief Ministers of the states?

1. The person must be a member of the respective state legislature before being appointed as Chief Minister.
2. The person must prove his/her majority in the state legislative assembly before being appointed as Chief Minister.

Select the correct answer using the code given below.

a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2

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Ans) d

Exp) Option d is the correct answer.

Statement 1 is incorrect. According to the Constitution of India, a person n**eed not be a member of state legislatures** at the time of appointment to the post of Chief Minister. He can be appointed as Chief Minister for **6 months** and within that tenure, he/she must become a member of the state legislature.

Statement 2 is incorrect. The Constitution of India **does not require the person** to prove his/her majority in state legislative assembly before being appointed as the Chief Minister. The Governor may first appoint him/her as Chief Minister and then can ask them to prove their majority in legislative assembly in a reasonable period.

Source: LAXMIKANT

Q.37) Which of the following are considered as part of the executive branch of a State Government?

1. Governor
2. Chief Minister
3. State Council of Ministers
4. Advocate General of State
5. Lokayukta

Select the correct answer using the code given below:

a) 1, 2, 3 and 4 only
b) 2, 3 and 4 only
c) 1, 2 and 3 only
d) 1, 2, 3, 4, and 5

Ans) a

Exp) Option a is the correct answer.

The government is based on the separation of powers and consists of three organs such as the Legislature, Executive and the Judiciary. The State Executive is the part of the state government which enforces the law and is responsible for the administration of the state.

Statement 1, 2, 3, and 4 are correct: The **State Executive** is made up of the following:

1) **Governor -** Governor is the nominal head of a state.
2) **Chief Minister -** The Chief Minister is the most powerful functionary at the State Government level and is the executive head of the state.
3) **Council of Ministers** – It is responsible for being the senior decision-making body of the executive branch. It is chaired by the Chief Minister and consists of the heads of each of the executive government ministries.
4) **Advocate General of the State -** He is the highest law officer in the state.

Statement 5 is incorrect: Lokayukta is an independent and impartial functionaries created to investigate the actions and decisions of public servants. These functionaries are held at par with the Judges of the Supreme Court and High Court; and **independent of the legislature and executive.**

Source: https://egyankosh.ac.in/bitstream/123456789/68095/3/Unit-9.pdf

Q.38) With reference to the office of the Governor of states, consider the following statements:

1. A Governor whose term has expired can be reappointed in the same state.
2. In the absence of President, his oath is administered by the Chief Justice of India.
3. A Governor enjoys the security of tenure and a fixed term of five years.
4. As per the Constitution, he may be removed only if he is proved to be of unsound mind.

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Which of the statements given above is/are correct?
a) 1 and 2 only
b) 1 only
c) 2 and 4 only
d) 1 and 3 only

Ans) b
Exp) Option b is the correct answer.
Statement 1 is correct: The President may transfer a Governor appointed to one state to another state for the rest of the term. A Governor whose term has expired may be **reappointed in the same state or any other state**.
Statement 2 is incorrect: The **oath** of office to the Governor is adminis**tered by the chief justice of the concerned state high court, and in his absence**, the **senior-most judge of that court** available. Before entering upon his office, the Governor has to make and subscribe to an oath or affirmation. In his oath, the Governor swears:
(a) to faithfully execute the office;
(b) to preserve, protect and defend the Constitution and the law; and
(c) to devote himself to the service and well-being of the people of the state.
Statement 3 is incorrect: A Governor holds office for a term of five years from the date on which he enters upon his office. However, this term of five years is **subject to the pleasure of the President**. He may be removed by the President at any time. T**he Governor has no security of tenure and no fixed term of office.** Further, he can resign at any time by addressing a resignation letter to the President.
Statement 4 is incorrect: The **Constitution does not lay down any grounds** upon which a Governor may be removed by the President.
Knowledge Base:
A Governor can hold office beyond his term of five years until his successor assumes charge. The underlying idea is that there must be a Governor in the state and there cannot be an interregnum. The President can make such provision as he thinks fit for the discharge of the functions of the Governor in any contingency not provided for in the Constitution, for example, the death of a sitting Governor. Thus, the chief justice of the concerned state high court may be appointed temporarily to discharge the functions of the Governor of that state.
Source: Indian Polity by Laxmikant – 6th Edition – Chapter 30 – Governor.

Q.39) With reference to the ordinance making power of Governor and President, consider the following statements:
1. Contrary to the President, the Governor can issue an ordinance only when both Houses of a bicameral state legislature are not in session.
2. Unlike the President, the Governor cannot make ordinance on the subjects listed in the Concurrent List.
3. An ordinance issued by both of them becomes ineffective only after six months of reassembly of Parliament/state legislature.
4. Unlike President, the power of Governor to issue ordinances is a discretionary power.
Which of the statements given above are ***incorrect***?
a) 1, 2 and 3 only
b) 2 and 4 only
c) 1, 2 and 4 only
d) 1, 2, 3 and 4

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Ans) d

Exp) Option d is the correct answer.

An ordinance is any law promulgated by the President/Governor when the Parliament/State Legislative assembly is not in session. These ordinances have the same legal force and effect as an Act of Parliament/State legislature, but they are only temporary in nature.

Statement 1 is incorrect: The President may issue an ordinance only when both Houses of Parliament are not in session, or when one of the two Houses is not in session.

The **Governor can only promulgate** an ordinance when the legislative assembly is not in session (in the case of a unicameral legislature) or when both Houses of the state legislature are not in session (in the case of a bicameral legislature) or when **either of the two Houses of the state legislature is not in session.** The final provision implies that an ordinance can be promulgated by the Governor even if only one House (in the case of a bicameral legislature) is in session, because a law can be passed by both Houses, not just one.

Statement 2 is incorrect: The **President's ordinance-making authority is coextensive with Parliament's legislative authority**. This means that he/she can issue ordinances on subjects that the Parliament can legislate on.

The **Governor's ordinance-making authority is coextensive with the state legislature's legislative authority**. This means that he/she can only issue ordinances on subjects that the state legislature can legislate on. It means that he/she can promulgate ordinance also on the subjects mentioned in the Concurrent List.

Statement 3 is incorrect: An **ordinance** issued by the both the President and Governor becomes **ineffective six weeks after the reassembly of Parliament/state legislature**. It may be terminated earlier than the six-week period if both Houses of Parliament pass resolutions opposing it (or legislative assembly passes a resolution opposing it and the legislative council agrees).

Statement 4 is incorrect: The **ordinance-making authority of both President and Governor is not discretionary.** This means that they can only issue or withdraw an ordinance with the advice of the respective Council of Ministers.

Source: Indian Polity by Laxmikant – 6th Edition – Chapter 30 – Governor.

Q.40) Consider the following statements:

1. FC-5 Potato variety has a lower moisture content making it ideal to make snacks such as potato chips.
2. FC-5 Potato recently been granted Plant Variety Protection certificate under Protection of Plant Varieties and Farmers' Rights Act, 2001.

Which of the statements given above is/are correct?

a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2

Ans) a

Exp) Option a is the correct answer.

Statement 1 is correct. The FC5 variety, registered in the US as FL2027, has a **lower moisture content** (80 per cent, compared with 85 per cent for other varieties), which is **ideal to make snacks such as potato chips** and for processing.

According to patent documents, the breed confers traits, including **resistance to herbicides**, and insect, bacterial, fungal or viral diseases. It also boasts of uniformity and an increase in the **concentration of starch** and other carbohydrates which decrease the tendency of tubers to bruise.

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Statement 2 is incorrect. The Protection of Plant Varieties and Farmers Rights (PPV&FR) Authority has **revoked (not granted) a PVP (Plant Variety Protection) certificate granted to PepsiCo India Holding (PIH) on a potato variety (FL-2027).**
PepsiCo earlier filed a lawsuit against the farmers for illegally growing, producing and selling the variety without permission of PepsiCo.
However, farmers have cited **Section 39** of the **Protection of Plant Varieties and Farmers' Rights (PPV&FR) Act,2001** which specifically says that a farmer is allowed to grow and sell any variety of crop or even seed as long as they don't sell branded seed of registered varieties.
Source: India revokes PepsiCo's potato patent -ForumIAS Blog
The potato that's caught in a row between PepsiCo and Gujarat farmers (theprint.in)

Q.41) Which of the following is/are the function(s) of the Cabinet Secretariat?
1. Preparation of agenda for Cabinet Meetings
2. Secretariat assistance to Cabinet Committees
3. Allocation of financial resources to the Ministries
Select the correct answer using the code given below:
a) 1 only
b) 2 and 3 only
c) 1 and 2 only
d) 1, 2 and 3

Ans) c
Exp) Option c is the correct answer.
The Cabinet Secretariat is responsible for the administration of the Government of India as per the (Transaction of Business) Rules, 1961 and the Government of India (Allocation of Business) Rules 1961.
This Secretariat provides Secretarial assistance to the Cabinet and its Committees, and also assists in decision-making in Government by ensuring Inter-Ministerial coordination. It also prepares agenda for Cabinet Meetings.
The Cabinet Secretariat ensures that the President, the Vice President and Ministers are kept informed of the major activities of all Ministries/Departments by means of monthly summary of their activities.
It does not allocate financial resources to the Ministries.
Source) UPSC CSE 2014

Q.42) With reference to the powers/functions of the Governor of a state, consider the following statements:
1. S/he has the power to pardon a sentence inflicted by a Court Martial.
2. His/her recommendation is necessary for making a Demand for a Grant in the legislative assembly.
3. S/he can make advances out of the Consolidated Fund of the State without the authorization from the State legislative assembly.
Which of the statements given above is/are correct?
a) 1 only
b) 2 only
c) 1 and 3 only
d) 2 and 3 only

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Ans) b

Exp) Option b is the correct answer.

Statement 1 is incorrect: Although the President can pardon sentences inflicted by court martial (military courts), **the governor cannot.**

Statement 2 is correct: The **financial powers** and functions of the Governor are:

1) He sees that the Annual Financial Statement (state budget) is laid before the state legislature.

2) Money bills can be introduced in the state legislature only with his prior recommendation.

3) **No demand for a grant can be made except on his recommendation**.

4) He constitutes a finance commission after every five years to review the financial position of the panchayats and the municipalities.

Statement 3 is incorrect: The **Governor can make advances out of the Contingency Fund of the state** to meet any unforeseen expenditure.

No amount can be withdrawn from the Consolidated Fund of the State without the authorization from the State legislative assembly.

Knowledge Base:

The judicial powers and functions of the Governor are:

1) He can grant pardons, reprives, respites and remissions of punishment or suspend, remit and commute the sentence of any person convicted of any offence against any law relating to a matter to which the executive power of the state extends.

2) He is consulted by the President while appointing the judges of the concerned state high court.

3) He makes appointments, postings and promotions of the district judges in consultation with the state high court.

4) He also appoints persons to the judicial service of the state (other than district judges) in consultation with the state high court and the State Public Service Commission.

Source: Indian Polity by Laxmikant – 6th Edition – Chapter 30 – Governor

Q.43) With reference to the appointment of ministers of the State, consider the following statements:

1. The ministers are appointed by Governor only on the advice of Chief Minister.
2. The nominated members of state legislatures cannot be appointed as the minister.
3. The Governor can dismiss an individual Minister from a State Council of Ministers on his/her discretion.

Which of the statements given above is/are correct?

a) 1 only
b) 2 and 3 only
c) 1 and 2 only
d) 1 and 3 only

Ans) a

Exp) Option a is the correct answer.

Statement 1 is correct. The Council of Ministers of the state is appointed by Governor **only on the advice of the Chief Minister**. The Governor can appoint only those persons as ministers which are recommended by Chief Minister. The Governor cannot exercise his/her personal discretion in the appointment of Council of Ministers.

Statement 2 is incorrect. Both elected and nominated members are eligible for being appointed as the minister of the state.

Statement 3 is incorrect: Kerala's Governor **Arif Mohammed Khan** recently threatened to sack ministers who "lowered the dignity" of his office. The Governor tweeted from his tweeter handle "the CM and Council of Ministers have every right to advise Governor but statements of individual ministers that lower the

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dignity of the office of the Governor, can invite action including withdrawal of pleasure". **There has been no occasion so far of a Governor unilaterally removing a minister from the government.**
According to the constitutional experts "**The Governor can withdraw the pleasure only on the advice of the Chief Minister.** Pleasure after all, is not a personal or individual matter. It is constitutional pleasure. That means, when the Government in office has majority in the legislature, the Governor has pleasure and when the Government loses its majority, the pleasure comes to an end." **Hence a Governor cannot remove any individual minister on his personal choice or discretion.**
Source: LAXMIKANT (5TH EDITION-STATE COUNCIL OF MINISTERS; STATE LEGISLATURES)
https://www.livelaw.in/interviews/governors-withdrawal-of-pleasure-in-minister-is-not-constitutionally-valid-without-chief-ministers-advice-pdt-achary-212605
https://www.thehindu.com/news/cities/Kochi/governor-cannot-dismiss-a-minister-unless-recommended-by-chief-minister-says-former-secretary-general-of-lok-sabha/article66022313.ece

Q.44) Which of the following are propositions laid down by the Supreme Court on imposition of President's Rule in a state under Article 356?
1. Courts can restore the dissolved state legislative assembly if the Presidential proclamation is found to be unconstitutional.
2. Courts can review the correctness of the material on which the President took the action.
3. The state legislative assembly is dissolved only after the Parliament has approved the Presidential proclamation.
Select the correct answer using the code given below:
a) 1 and 2 only
b) 2 and 3 only
c) 1 and 3 only
d) 1, 2 and 3

Ans) c
Exp) Option c is the correct answer.
In SR Bommai case (1994), the Supreme Court laid down certain propositions on imposition of President's Rule in a state under Article 356. It stated that the Presidential proclamation imposing President's Rule is subject to judicial review.
Statement 1 is correct: If the Judiciary holds the Presidential proclamation to be unconstitutional and invalid, it has power to **restore the dismissed state government and revive the state legislative assembly if it was suspended or dissolved.**
Statement 2 is incorrect: The court had stated that although the **sufficiency or otherwise of the material cannot be questioned** but the legitimacy of inference drawn from such material is certainly open to judicial review. The satisfaction of the President must be based on relevant material. The action of the President can be struck down by the court if it is based on irrelevant or extraneous grounds or if it was found to be malafide or perverse. Burden lies on the Centre to prove that relevant material exists to justify the imposition of the President's Rule. But the court cannot go into the correctness of the material or its adequacy but it can see whether it is relevant to the action.
Statement 3 is correct: The state **legislative assembly should be dissolved only after** the **Parliament has approved** the Presidential proclamation. **Until such approval is given, the President can only suspend the assembly.** In case the Parliament fails to approve the proclamation, the assembly would get reactivated.
Knowledge Base:
Other provisions made by SR Bommai case:
1) Secularism is one of the 'basic features' of the Constitution. Hence, a state government pursuing anti-secular politics is liable to action under Article 356.

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2) The question of the state government losing the confidence of the legislative assembly should be decided on the floor of the House and until that is done the ministry should not be unseated.
3) Where a new political party assumes power at the Centre, it will not have the authority to dismiss ministries formed by other parties in the states.
4) The power under Article 356 is an exceptional power and should be used only occasionally to meet the requirements of special situations.

Source: Indian Polity by Laxmikant – 6th Edition – Chapter 16 – Emergency.

Q.45) With reference to the election of the President of India, consider the following statements:
1. The value of the vote of each MLA varies from State to State.
2. The value of the vote of MPs of the Lok Sabha is more than the value of the vote of MPs of the Rajya Sabha.
Which of the statements given above is/are correct?
a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2

Ans) a
Exp) Option a is the correct answer.
Statement 1 is correct. Value of vote of a MLA: Every elected member of the legislative assembly of a state shall have as many votes as there are multiples of one thousand in the quotient obtained by dividing the population of the state by the total number of the elected members of the assembly. Therefore, it varies with population of state.
Statement 2 is *incorrect*. Value of vote of an MP: Every elected member of either House of Parliament shall have such number of votes as may be obtained by dividing the total number of votes assigned to members of the legislative assemblies of the states by the total number of the elected members of both the Houses of Parliament. Thus, the value of a MP of Lok Sabha is same as that of an MP from Rajya Sabha.
Source) UPSC CSE 2018

Q.46) Which of the following are the powers and functions of the Chief Minister?
1. S/he advices the Governor on the appointment of chairman of the State Public Service Commission.
2. S/he lays the report of State Public Service Commission before the state legislature.
3. S/he advices the Governor regarding the summons and prorogues of the sessions of the state legislatures.
4. S/he make the rules for transaction of business of the state government.
Select the correct answer using the options given below:
a) 1,2 and 3 only
b) 1, 3 and 4 only
c) 1 and 3 only
d) 2 and 4 only

Ans) c
Exp) Option c is the correct answer.
The Chief Minister is the chief spokesperson of the government of a State. Article 163-167 of Part VI of Indian Constitution deals with the provisions associated with Chief Minister.
Statement 1 is correct. The Chief Minister of state advises the Governor regarding the appointment of the chairman and members of the **State Public service Commission**. Article 316 **of Indian Constitution** deals with the appointment of chairperson and members of the public service Commission.

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Statement 2 is incorrect. Under **Article 323 of the Indian Constitution,** the State Commission present a report annually to the Governor of the State about the work done by the Commission. The **Governor lays that report of State Public Service** Commission before the state legislature together with a memorandum explaining the cases where the advice of the commission was not accepted and the reason for such non acceptance.

Statement 3 is correct. The Chief Minister of State **advises the Governor** regarding **summoning and proroguing of the sessions** of both the houses of State Legislature. The Governor further under A**rticle 174**, shall summon the House at a time and place, as she or he thinks fit.

Statement 4 is incorrect. All executive action of the Government of a State shall be expressed to be taken in the name of the Governor. It is the **Governor who make rules** for the more convenient transaction of the business of the Government of the State and **not the Chief Minister,** for the allocation of work among Ministers appointed for the said business. If the business is beyond the scope of the ministers, the Governor under the Constitution acts in his own discretion on it. The Chief Minister directs, guides and controls the activities of the ministers transacting the work.

Source: https://www.upsc.gov.in/about-us/constitutional-provisions/article-316-appointment-and-term-office-members

https://www.upsc.gov.in/about-us/constitutional-provisions/article-323-reports-public-service-commissions

https://rajbhawan.rajasthan.gov.in/content/rajbhawan/en/roleofthegovernor/cbgs.html#:~:text=The%20Governor%20shall%20make%20rules,to%20act%20in%20his%20discretion.

LAXMIKANT (CH-GOVERNOR, CM)

Q.47) With reference to Advocate General of a State, consider the following statements:

1. S/he is appointed by the President of India after consultation with Governor and the Chief Justice of the High court of respective state.
2. S/he advises the government on legal matters of the state that is referred by governor.
3. S/he have the right to speak and take part in proceeding of both houses of the state legislature.
4. S/he has the fixed tenure of 5 years or up to 65 years of age, whichever is earlier.

Which of the statements given above are correct?

a) 1, 2 and 3 only
b) 2 and 3 only
c) 3 and 4 only
d) 1, 2 and 4 only

Ans) b

Exp) Option b is the correct answer.

Article 165-177 of Part VI of the Indian Constitution deals with the authority and functions of Advocate General of State.

Statement 1 is incorrect. The **Governor** of each state **(not the President) shall appoint a person** who is qualified to be appointed as a **Judge of a High Court** to be Advocate General for the State. There is no provision of consulting with Chief Justice of High Court for appointment of Advocate General.

Statement 2 is correct. The Advocate General advice the state government on **any legal matters** that is referred to him by the Governor of the state.

Statement 3 is correct. Article 177 of the Indian Constitution gives the Advocate-General of State the **right to speak** in and **take part in the proceedings of the Legislative Assembly of the State**, or both Houses i.e., the state Legislative Council (in case of bicameral legislature). He also has the right to speak in, and otherwise to take part in the proceedings of, any committee of the Legislature of which he may be named a member but is **not entitled to vote.**

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Statement 4 is incorrect. The Constitution does not fix the term of office/tenure of Advocate General in India. The Advocate General of a state holds office during pleasure of Governor. He can be **removed by Governor at any time during his/her service**. The Constitution does not contain the procedure and grounds to remove the Advocate General of State. He may also quit his office by writing to Governor. He resigns when Government resigns or is replaced.
Source:
https://www.law.mp.gov.in/sites/default/files/Role%26Functions%20of%20Advocate%20General_0.pdf

Q.48) Consider the following statements:
1. As per the Constitution of India, the decision of the President of India is final on whether a particular matter falls under Governor's discretion or not.
2. The Governor of a state is an ex-officio member of Governing Council of NITI Aayog.
Which of the statements given above is/are correct?
a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2

Ans) d
Exp) Option d is the correct answer.
The Governor is known as the chief executive head of the state. Article 153-163 in Part VI of the Indian Constitution deals with several provisions for the Governor.
Statement 1 is incorrect. According to **Article 163 in the Indian Constitution,** if any question arises whether any matter falls under the Governor's discretion (power) or not as per the Constitution of India then the **decision of Governor is final not the President. A**nd the validity of anything done by the Governor as per it cannot be questioned on the ground that he should or should not have acted as per freedom or power.
Statement 2 is incorrect: The Chief minister (and not the Governor) of the state is member of NITI Aayog which is headed by the Prime Minister.
Source: https://indiankanoon.org/doc/674146/
LAXMIKANT(CH-GOVERNOR)

Q.49) Consider the following pairs:

Type of Veto	***Explanation***
1. Absolute Veto	President withholds his assent to a bill
2. Suspensive Veto	Only a higher majority of Parliament can override this Veto power
3. Qualified Veto	Power to reject the bill altogether
4. Pocket Veto	The President does not act upon the bill

How many pairs given above are correctly matched?
a) Only one pair
b) Only two pairs

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c) Only three pairs
d) All four pairs

Ans) b

Exp) Option b is the correct answer.

When a bill is introduced in the Parliament, Parliament can pass the bill and before the bill becomes an act, it must be presented to the Indian President for his approval. It is on President of India to either reject the bill, return the bill, or withhold his assent to the bill. The choice of the President over the bill is called his veto power. Veto Power of the President of India is guided by Article 111 of the Indian Constitution.

Pair 1 is correct. Absolute Veto is the power of the President to **withhold the assent to the bill**. When the President exercises his absolute veto, a bill never sees the day of the light. The bill ends even after passed by the Indian Parliament and does not become an act. President uses his absolute veto-When the bill passed by the Parliament is a Private Member Bill and when the cabinet resigns before President could give his assent to the bill. In India, the President has exercised his absolute veto before.

Pair 2 is incorrect. A Suspensive Veto is the power of the President to **return the bill to the Parliament with or without consideration.** His suspensive veto can be overridden by the re-passage of the bill by the Indian Parliament. If the Parliament resends the bill with or without amendment to the Indian President, he must approve the bill without using any of his veto powers. **With respect to state bills, the state legislature has no power to override the suspensive veto of the President.** Governor can withhold the bill for the President's consideration and even if state legislature resends the bill to the Governor and the Governor sends it to the President, he still can withhold his assent. Whereas a **Qualified Veto is one that can be** overridden by Parliament with a high majority if the President withholds their assent on the bill.

Pair 3 is incorrect. The **Qualified Veto** is the power of president to withhold the assent but it can be overridden by the legislature with a **higher majority. This type of veto is not used by the President of India.**

Pair 4 is correct. Pocket Veto is the power of the President to not act upon the bill is termed as a pocket veto. Constitution does not give any time-limit to President within which he has to act
upon the bill. Therefore, the President uses his pocket veto where he doesn't have to act upon the bill.

Source: LAXMIKANT(CH-PRESIDNT)

Q.50) Consider the following statements with reference to the trends of capital markets in India post-liberalization:

1. Share of the private corporate sector in Gross Fixed Capital Formation (GFCF) has increased.
2. Share of the public sector in Gross Fixed Capital Formation has fallen.

Which of the statements given above is/are correct?

a) 1 only
b) 2 only
c) Both 1 and 2
d) Neither 1 nor 2

Ans) c

Exp) Option c is the correct answer.

Gross fixed capital formation (GFCF), is defined as the acquisition of produced assets (including purchases of second-hand assets), including the production of such assets by producers for their own use, minus disposals.

Statement 1 is correct. The share of the **private corporate sector in Gross Fixed Capital Formation (GFCF) has increased sharply post-liberalization.** The banking sector was opened to new private sector banks.

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Along with this, non-banking financial institutions have become a significant force in the capital market. Opening up the mutual fund market to private asset management companies also boosted the GFCF.

Statement 2 is correct. **The share of the public sector in Gross Fixed Capital Formation (GFCF) has fallen.** The main issue, is the health of public sector banks. A large **accumulation of NPA's** is affecting the health of Public Sector Banks. The flow of commercial finance from the capital market (public issue of shares) is inadequate/ negligible. For instance, taking an average of the three years ending 2019-20, only 2 per cent of the flow of commercial finance came from public issues. The major source remains bank credit, which accounted for 49 per cent of the flows.

Source: https://blog.forumias.com/the-capital-market-then-and-now/

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